

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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3743

Date: Monday, May 10, 2004

From Applicant: Y. FREEDLAND  
To: The Honorable Kathryn P. ODLAND, Examiner.  
Re: SPLIT-NUT PRECISION FASTENERS,  
SN: 09/753,128

Via Mail and Fax: (703) 746-8172

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Number of Pages 1+4

MAY 27 2004  
TECHNOLOGY CENTER R3700

Sir,

Enclosed are two documents that summarize telephonic communications regarding the above-noted application.

Sincerely,

Y. FREEDLAND

Inventor and Applicant

Monday, May 10, 2004  
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09/753,128

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Y. FREEDLAND

Serial Number: 09/753,128

Filed: December 30, 2000

For: SPLIT-NUT PRECISION FASTENERS

Art Unit: 3743

Examiner: Kathryn P. ODLAND

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TECHNOLOGY CENTER R3700

Hon. Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

To follow is a Summary of a telephonic Interview of February 28, 2004 between Applicant, Examiner and Supervisory Patent Examiner Bennett.

Substance of Telephone Communication February 28, 2004

Discussion was directed to substantial differences between the instant invention and prior art Seegmiller et al., (U.S. Patent No. 5, 525, 013) who teaches a device that does not contact a forward surface. The instant application clearly refers to an invention that contacts a forward surface, including a tissue surface, as stated in U.S. Patent 6,162,234 from which the instant application takes priority.

Applicant pointed out that U.S. Patent 6,162,234 shows contact between the instant invention and a tissue surface in Fig. 28 as described in column 18, lines 39-49 and a collet adapted for use with suture in Figs 32 and 33 as described in Column 19, lines 18-22:

“Still yet another elevational view of the T1-H1 embodiment of the adjustable button cinch anchor fastener 1 of the present invention is shown in FIG. 28 [wherein a] spiked washer 13 is compressed by the fastener's collet 12 which is in turn compressed by the fastener's hoop 14 [so that] pawls 122 are compressed under the hoop 14. (Column 18, lines 39-49)

“An elevational view of a new embodiment shaft 11A having a friction surface shaft 111A in this H1-T2 embodiment of the adjustable button cinch anchor fastener 1A of the present invention is shown in FIG. 32. A cross section of the collet 12A having parallel ribs 121A which contact the friction surface of the shaft 111A in this H1-T2 embodiment of the

adjustable button cinch anchor fastener 1A is depicted in FIG. 33. (The hoop 14 is also shown in cross-section in FIG. 33.)" (Column 19, lines 18-22)

Applicant further pointed out that the independent claims of the instant application read on the structure shown in Figs. 28, 32 and 33 (U.S. Patent 6,162,234). As an example, claim 79 of the instant application:

"An orthopedic fastening system for securing at least one elongate element to a tissue, the system comprising:

two or more nut sections that form a nut when assembled, the assembled nut comprising:

two or more inner surfaces adapted to clamp the at least one elongate element;

an outer surface defining a periphery; and

a band that substantially surrounds the periphery, the height of the radial axis of the band being less than height of the radial axis of the nut."

Examiner and Supervisory Patent Examiner Bennett accepted the above-noted arguments and agreed that the instant invention is novel with regard to Seegmiller et al., (U.S. Patent No. 5, 525, 013).

Applicant thanks Examiner Odland and SPE Bennett for their guidance in the above-noted communication. Applicant is responding pro se under "**Revocation Of Existing Power Of Attorney And Election To Prosecute Pro Se**" submitted February 3, 2004 and requests that correspondence be addressed to the address listed below.

Respectfully submitted,



Y. FREEDLAND

Inventor and Applicant

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**INTERVIEW SUMMARY**

To follow is a Summary of two telephonic interviews on May 04, 2004, a first interview between Applicant and Examiner and a second interview between Applicant and Supervisory Patent Examiner Bennett.

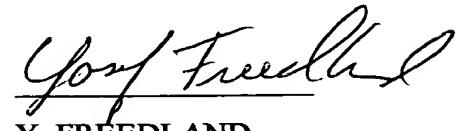
**Substance of Telephone communications of May 04, 2004**

Applicant contacted Examiner with respect to clarification of course of action to pursue with regard to Advisory Action dated April 19, 2004. Examiner directed Applicant to file a response or an appeal. With regards to issues raised in the Advisory Action, Examiner directed Applicant to contact SPE Bennett.

Applicant contacted SPE Bennett who suggested that Applicant file a response to the above-noted Advisory Action and that he would review the response with the examiner and a third party from the U.S. Patent Office. Applicant will submit the Response to the above-noted Advisory Action under a separate cover.

Applicant thanks Examiner Odland and SPE Bennett for their guidance in the above-noted telephonic communications. Applicant is responding pro se under "**Revocation Of Existing Power Of Attorney And Election To Persecute Pro Se**" submitted February 3, 2004 and requests that correspondence be addressed to the address listed below.

Respectfully submitted,



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